

**A RESOLUTION BY  
FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO REGISTER THE CITY OF ATLANTA WITH THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS ("SAVE") PROGRAM; TO REQUIRE THAT EVERY BUSINESS OR INDIVIDUAL RECEIVING A PUBLIC BENEFIT FROM THE CITY OF ATLANTA FILE AN AFFIDAVIT VERIFYING THEIR ELIGIBILITY TO RECEIVE PUBLIC BENEFITS AS SET FORTH IN THE SAVE PROGRAM BEGINNING JANUARY 1, 2010; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Systematic Alien Verification for Entitlements Program ("SAVE Program") is a federal program administered by the U.S. Citizenship and Immigration Services ("USCIS"), under the purview of the U.S. Department of Homeland Security; and

**WHEREAS**, the SAVE Program is an information service for public benefit issuing agencies, institutions, licensing bureaus, and other governmental entities that is designed to aid benefit-granting agencies in determining an applicant's immigration status, and thereby ensure that only entitled applicants receive federal, state, or local public benefits and licenses; and

**WHEREAS**, a public benefit is defined as any federal, state or local benefit and includes employee benefits, contracts, alcoholic beverage licenses, business licenses and other commercial and professional licenses and is more particularly described as set forth in the attached Exhibit "A"; and

**WHEREAS**, the Georgia General Assembly passed House Bill 2, which was signed into law by the Governor on May 11, 2009, and is now codified in state law as O.C.G.A. §50-36-1 et seq., requiring every local government to register and participate in the SAVE Program no later than January 1, 2010; and

**WHEREAS**, state law also requires that every person, corporation, or business entity receiving a public benefit from a local government file an affidavit and supporting documentation with the local government verifying the applicant's immigration status and entitlement to the public benefit; and

**WHEREAS**, noncompliance with state law by any local government may result in the elimination of all federal funding by the Georgia House Appropriations Committee; and

**WHEREAS**, the City of Atlanta ("City") is a local government that provides public benefits to employees, individuals, corporations, and business entities and is therefore required to participate in the verification process designed by the SAVE Program; and

**WHEREAS**, participation in the SAVE Program requires the City to submit an application request to participate in the program, to enter into a Memorandum of Agreement with the USCIS certifying that it has enacted the appropriate local authority to award said public benefits, and to pay a fee for each eligibility status verification.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor or her designee is hereby authorized to enter into a Memorandum of Agreement with the United States Citizenship and Immigration Services for the purpose of registering the City to participate in the Systematic Alien Verification for Entitlements Program (“SAVE Program”).

**BE IT FURTHER RESOLVED**, that all individuals and businesses receiving public benefits from the City file an affidavit and supporting documentation acknowledging their immigration status and verifying their eligibility to receive a “public benefit” as set forth by the SAVE Program.

**BE IT FINALLY RESOLVED**, that the Memorandum of Agreement will not become binding on the City, and the City will incur no obligations or liability upon same until such Agreement has been executed by the Mayor, attested to by the Municipal Clerk and delivered to the United States Citizenship and Immigration Services.

## **EXHIBIT “A”**

### **PUBLIC BENEFITS IDENTIFIED BY THE ATTORNEY GENERAL OF GEORGIA**

Under O.C.G.A. §50-36-1, the term “public benefit” means a “federal benefit as defined in 8 U.S.C. Section 1611, a state or local benefit as defined in 8 U.S.C. Section 1621, a benefit identified as a public benefit by the Attorney General of Georgia, or a public benefit which shall include the following:

- (i) Adult education;
- (ii) Authorization to conduct a commercial enterprise or business;
- (iii) Business certificate, license or registration;
- (iv) Business loan;
- (v) Cash allowance;
- (vi) Disability assistance or insurance;
- (vii) Down payment assistance;
- (viii) Energy assistance;
- (ix) Food stamps;
- (x) Gaming license;
- (xi) Health benefits;
- (xii) Housing allowance, grant, guarantee, or loan;
- (xiii) Loan guarantee;
- (xiv) Medicaid;
- (xv) Occupational license;
- (xvi) Professional license;
- (xvii) Registration of a regulated business;
- (xviii) Rent assistance or subsidy;
- (xix) State grant or loan;
- (xx) State identification card;
- (xxi) Tax certificate required to conduct a commercial business;
- (xxii) Temporary assistance for needy families (TANF);
- (xxiii) Unemployment insurance; and
- (xxiv) Welfare to work.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/Executive Committee

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO REGISTER THE CITY OF ATLANTA WITH THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS ("SAVE") PROGRAM; TO REQUIRE THAT EVERY BUSINESS OR INDIVIDUAL RECEIVING A PUBLIC BENEFIT FROM THE CITY OF ATLANTA FILE AN AFFIDAVIT VERIFYING THEIR ELIGIBILITY TO RECEIVE PUBLIC BENEFITS AS SET FORTH IN THE SAVE PROGRAM BEGINNING JANUARY 1, 2010; AND FOR OTHER PURPOSES.

**Council Meeting Date:** December 7, 2009

**Requesting Dept.:** Department of Law

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to authorize the Mayor to enter into a Memorandum of Agreement with the USCIS to register the City of Atlanta with the SAVE Program and to require every individual and business that receives a public benefit from the City to file an affidavit verifying their eligibility to receive said benefit.

**2. Please provide background information regarding this legislation.**

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

**(d)     Invitations Issued:**

**(e)     Number of Bids:**

**(f)     Proposals Received:**

**(g)     Bidders/Proponents:**

**(h)     Term of Contract:**

**4. Fund Account Center:**

**5. Source of Funds:**

**6. Fiscal Impact:**

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:**

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Stefanie Grant

Contact Number: (404) 330-6404

Originating Department: Department of Law

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: November 17, 2009

Anticipated Committee Meeting Date(s): December 2, 2009

Anticipated Full Council Date: December 7, 2009

Legislative Counsel's Signature: Stefanie Grant 

Commissioner Signature: 

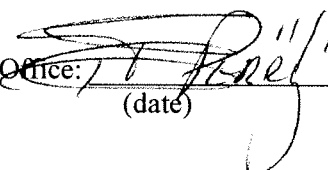
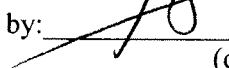
Chief Procurement Officer Signature: \_\_\_\_\_

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO REGISTER THE CITY OF ATLANTA WITH THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS ("SAVE") PROGRAM; TO REQUIRE THAT EVERY BUSINESS OR INDIVIDUAL RECEIVING A PUBLIC BENEFIT FROM THE CITY OF ATLANTA FILE AN AFFIDAVIT VERIFYING THEIR ELIGIBILITY TO RECEIVE PUBLIC BENEFITS AS SET FORTH IN THE SAVE PROGRAM BEGINNING JANUARY 1, 2010; AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office:  11/17/09 Reviewed by:   
(date) (date)

Submitted to Council: \_\_\_\_\_